

44% of the calls made by LCI's customers. A summary reflecting Ameritech's performance on transmitting call record information is attached as Exhibit 1.

9. In addition to delays, Ameritech on occasion has failed to transmit any call usage data to LCI. This occurred most recently on May 24 when Ameritech failed to transmit call record information for approximately 20,000 calls made on Wednesday, May 21. Typically, LCI customers in the Ameritech region make between 25,000 and 30,000 calls per day, but to date, LCI has received information on just over 5,000 calls for May 21. Ameritech has not yet been able to locate this missing data.

10. LCI also does not receive any call usage data on at least 120 local lines. LCI has identified and provided Ameritech with the telephone numbers of these lines (see Exhibit 2), but to date, Ameritech has failed to determine why it does not provide associated usage information. In Ameritech's billing system, each of these lines ties to universal service order code (know commonly as "USOC") 1B8, a business measured service.

11. Ameritech also has not adopted appropriate process change controls concerning its billing software. On May 17, Ameritech changed the software it uses to provide usage data to resellers without informing LCI or other resellers. I learned of the software change only after phoning Ameritech on May 19 to determine why LCI hadn't received usage data. This change caused a delay in Ameritech's transmission of call record information for two additional days.

**Delay in Providing AEBS Bills**

12. AEBS bills essentially are invoices from Ameritech to LCI for the services that LCI purchases from Ameritech and resells to LCI's local customers. AEBS bills contain monthly summaries of recurring charges, such as flat-rate service charges, and non-recurring charges, such as installation charges and service fees for maintenance calls. As with call record information, LCI needs AEBS information to bill its local customers. Ameritech sends AEBS bills in a proprietary format, so LCI had to develop special software to translate AEBS files.

13. While Ameritech's AEBS Implementation Guide (see Exhibit 3 attached) indicates that LCI should receive AEBS data six to eight days after the end of each month (10 to 12 days in Michigan), LCI has received AEBS data sporadically, and always past the due date:

- November data received January 6;
- December data received January 14;
- January data received March 1;
- February data received March 26;
- March AEBS data received April 17; and
- April AEBS data received May 16.

**Impact of Billing Delays**

14. Ameritech's failure to transmit billing data has forced LCI to delay sending combined local and long distance invoices to customers for five days, and sometimes longer. Many of LCI's local customers purchase LCI long distance service as well, and these customers expect and want to receive a combined local and long distance bill for all calls made during each billing cycle. LCI typically has all of the information necessary to invoice its long distance service within one to two days following the close of the business


cycle, but Ameritech's failure to provide timely local data to LCI results in delayed and out-of-cycle billing.

15. **Billing delays affect LCI's cash flow.** When LCI is forced to delay invoicing customers for several days and to bill charges months after they are incurred, revenue gets pushed off into the future. Customers rightfully are suspicious of charges on current bills for services incurred in previous billing cycles. The dollar amount of the delayed invoices and the problems associated with out-of-cycle-billing (e.g., time and cost of collecting revenue for services provided) grow as LCI's local customer base grows.

16. LCI local customers in the Ameritech region have complained about invoicing delays and out-of-cycle billing, noting that Ameritech provided invoices to them more quickly. When LCI sends late bills to its customers and when those bills include charges incurred months earlier, LCI loses credibility with its customers, who expect LCI to provide bills that are as accurate and as timely as the bills they received when they were Ameritech customers.

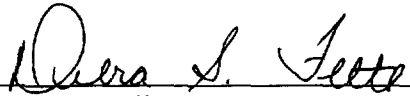
17. In spite of repeated written and verbal requests by LCI, Ameritech has not significantly improved the timeliness of its delivery of billing information to LCI. Indeed, Anne Bingaman, President of LCI's Local Telecommunications Division, informed Neil Cox, President of Ameritech's Information Industry Services, of our billing problems as early as February 19, 1997, see Exhibit 4 attached, yet problems continue to persist nearly four months later. LCI is not at parity with Ameritech with respect to this function of Ameritech's Operations Support System.

I hereby swear, under penalty of perjury, that the foregoing is true and correct, to the best of my knowledge, information, and belief.

  
W. David Marlin

On this 9 day of June, 1997, before me personally came W. David Marlin, to me known, being duly sworn, did depose and say that he is the individual described in this Affidavit.

On this 9 day of June, 1997,

  
Notary Public

My commission expires

8-11-2001

Debra S. Fette  
Notary Public, State of Ohio  
My Commission Expires Aug. 11, 2001



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**EXHIBIT 1**

## DISTRIBUTION OF CALL RECORD DATA RECEIVED FROM AMERITECH

[illegible]





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**EXHIBIT 2**

Michael OSullivan /AIT5 5/8/97 8:52

Page 1

## MESSAGE

Subject: May 7th status of LCI lines  
Sender: ALLEN GROH ///US/MCI/AMRTCH2

Dated: 5/7/97 at 16:53  
Contents: 2

## Item 1

TO: MICHAEL J. OSULLIVAN /ait5 ( Undisplayable address parts )  
CC: DAN GOGLIO ///US/MCI/AMRTCH2 ( Undisplayable address parts )  
ALLEN GROH ///US/MCI/AMRTCH2 ( Undisplayable address parts )

## Item 2

Mike:

I have listed the LCI WTNs in the same order as they appeared on the fax we received from LCI on April 10th.

Some of the TNs are set up as Special Billing Numbers. Usage will never appear on the DUF for them. Their usage will be reported under the associated BTN.

Some of the TNs are residential lines which have not been resold.

Finally, we show usage on the DUF during the month of May for some TNs. April DUF files have not been checked for usage.

One other consideration is the date when work was completed on the particular TN. (e.g., 773-637-6071 was on an LCI order having a due date of 2-21-97, it appears in the guide with an active date of 3-7-97; the order was not completed until 4-3-97.)

Once we receive several "high usage" TNs from LCI we can attempt to track individual calls from the switch. Do you have other suggestions?

Allen

LCI WTN	Comments
7736044540	
7736048479	
2473983139	Res Acct - Does not belong to Chade Fashions
6308769375	
6308769475	
3126663089	
3126667271	
3124940210	
3124940211	
3124940212	
3124940213	Usage observed in May files
3124940214	
3124940215	
3124940310	
8478690392	
8478693527	
7086520394	
7086520438	
8476958754	
8476958695	
8476958770	
8476958779	
8476958780	
7737528673	
7735230083	
7735230970	
7735231054	
7736609915	

Michael OSullivan /AITS 5/8/97 8:52

Page 2

7736609916  
7736609927  
7085471746  
7085475102  
7085479642  
7736376071  
6306680158  
6306685363  
6306685367  
6306685414  
8473621178  
8476474098  
8476475916  
8476476424  
8476476462  
8476477386  
6305292242  
6305292820  
6305292823  
6305292830  
6305292916  
6305292921  
6305292922  
6305292923  
6305292924  
6305292928  
6305292974  
6305292979  
6305292985  
6305292988  
6305293219  
6305293952  
6305297510  
6305299123  
3129223040  
3129223050  
3129223750  
3124321563  
3123681125  
3123681126  
3123681127  
3123681147  
3123681146  
3123681173  
3124250187  
3124250190  
3124250191  
3124250192  
3124250193  
3124250194  
3124250195  
3124250197  
3124250198  
8476409210  
8476048812  
8476048814  
3127624026  
3127826892  
8476408122  
6306379789  
8153561724  
3129229249  
3123689486  
3123689530  
3123460422  
3123460689  
3123460714  
8476732631  
8476732718  
8476733423

Usage observed in May files  
Usage observed in May files

Usage observed in May files

SBN = 630-529-2920  
SBN = 630-529-2920  
SBN = 630-529-2920  
SBN = 630-529-2920  
Res Acct - Does not belong to Electric-Flex  
SBN = 630-529-2920  
SBN = 630-529-2920  
SBN = 630-529-2920  
SBN = 630-529-2920  
SBN = 630-529-2920  
SBN = 630-529-2920  
SBN = 630-529-2920  
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SBN = 630-529-2920  
SBN = 630-529-2920  
SBN = 630-529-2920  
SBN = 630-529-2920  
SBN = 630-529-2920

Usage observed in May files

Michael OSullivan /AITS 5/8/97 8:52

Page 3

8476733665  
8476733859  
8476734251  
8476738180  
8476738310  
8476738314  
8476738330  
8476738331  
8476738332  
8476738362  
8476738369  
8476739696  
8476739697  
6308870646  
6308870871  
6308879849  
8478432083  
8478432099  
8478432109  
8478432184  
8478432190  
8478432192  
8478432199  
8478432208  
8478433469  
8478438433  
7734630184  
7734630343  
7739277189  
7732471040  
8476231438  
8476231439  
8476231472  
8476231496  
8476231497  
8476231630  
8476237400  
7735883274  
7735883284  
7735887436  
8479913418  
7085470627  
7085471281  
7085471298  
7085471367  
7085471379  
7085471393  
7085471394  
7085471395  
7085471396  
7085471397  
7085471398  
7085471470  
7085471487  
7085471489  
7085471490  
7085471492  
7085475296  
7085475523  
7085476761  
7085477644  
7085478011  
7085478033  
7085478442  
7085478890  
7085478995  
7085479566  
6305270323  
6305278291  
6309532745

Res Acct - Does not belong to Plastic Film Corp

Usage observed in May files

SBN = 847-623-1414  
SBN = 847-623-1414  
SBN = 847-623-1414  
SBN = 847-623-1414  
SBN = 847-623-1414

Res Acct - Does not belong to US Group Consolid



**EXHIBIT 3**

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**Ameritech Electronic  
Billing Service (AEBS)  
Implementation Guide**

**Version 450**

**CS-26  
June 1994**



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**Processing**

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These three aspects of AEBS processing will be discussed briefly below:

**Production of Your File**

Production of the AEBS data files occurs with each billing cycle. That is, for any given customer who may have multiple accounts on multiple billing cycles, one file is sent for each billing cycle. These files can then be combined at the customer's site so that costs and usage can be analyzed across multiple divisions or locations.

The AEBS files are generated on electronic media or magnetic media at the end of the billing cycle. This means that all billing data contained in the AEBS data feed is exactly the same data that is on your paper bill.

**Transmission of Your File**

The AEBS file is then transmitted to you via electronic or magnetic media, based on your selection when you subscribe to AEBS. If electronic media is chosen, the file is sent to the Ameritech Gateway within 6-8 days (10-12 days in Michigan) of the completion of the billing cycle. After the file is sent, the electronic media customer may sign onto the Ameritech Gateway at any time to retrieve the file. If magnetic media is chosen, the file is saved onto tape within 6-8 days (10-12 days in Michigan) of the completion of the billing cycle, and mailed to the address you specify.

**Customer Application Development and Report Processing**

You are responsible for programming applications to analyze, process and report the billing data sent to you by Ameritech.

To aid in this task, this Implementation Guide contains AEBS file layouts, attributes and the availability of all fields and records. For an overview of the record names and the fields contained within each record, see Section 2.4 Record Descriptions. For more detailed descriptions of the contents of each field, refer to Section 5.1 Field Glossary. For exact field lengths and attributes, turn to Section 4.1 Record Layouts.





**EXHIBIT 4**

19th February 1997

*via facsimile: 312-527-3780*

Mr. Neil Cox  
President  
Ameritech Information Industry Services  
350 North Orleans, Floor Three  
Chicago, IL 60654

Dear Neil:

Thank you for returning my call. I sincerely appreciated it.

This letter confirms that Greg Casey, Susan Lord and Michael Wajsgras of LCI met with Ameritech's negotiators in Chicago, with the aim of concluding a resale agreement for the states of Ohio and Indiana, to be effective very promptly. We hope and expect to begin selling in Ohio no later than the first week in March, and in Indiana the same week. The resale agreement is a prelude to the more important negotiations on unbundled combined network elements. I am sending you a more detailed letter in the near future outlining our requirements in preparation for our full day meeting on February 28th here in our offices at Tyson's Corner, Virginia. We appreciate your people coming here for that.

As I mentioned, we have several outstanding operations issues which are causing serious problems to us. As detailed in the letter dated January 29th, 1997, to Michael O'Sullivan from Kirsten Johnson of LCI, we have three major problems:

- (1) More than 85% of the calls are billed to LCI five days or more following the call date, which causes extremely delayed end user billing. LCI needs and expects that 90% of all call records will appear on the Daily Usage File within 48 hours of the call date. Even that is a looser standard than Ameritech gives itself, but it would be a vast improvement over the current situation. We expect to be at parity with Ameritech promptly.
- (2) The AEBS file, containing non-recurring charges, is also sent very late, and this causes LCI to delay end user billing. This is a serious problem for us, and Ameritech needs to generate it on a daily basis, rather than eight to ten days late.

- (3) There is no completion notification process for confirming the provisioning of orders. Accordingly, we do not know when work has been done, and it can potentially mean that both LCI and Ameritech are billing the customer for the same lines at the same time. This is an extremely serious breach, and we need this fixed promptly, by immediate notification.

I am forwarding a copy of the January 29th letter to Mr. O'Sullivan from Kirsten Johnson at LCI. I would appreciate hearing from you promptly about these problems, which have been outstanding for several months.

Thank you very much again for returning the call. We look forward to completing the resale agreement for Ohio and Indiana immediately, and moving onto further negotiations.

Thanks again.

Sincerely,

Anne K. Bingaman  
President  
Local Telecommunications Division

Enc: Kirsten Johnson letter  
dated 1/29/97.

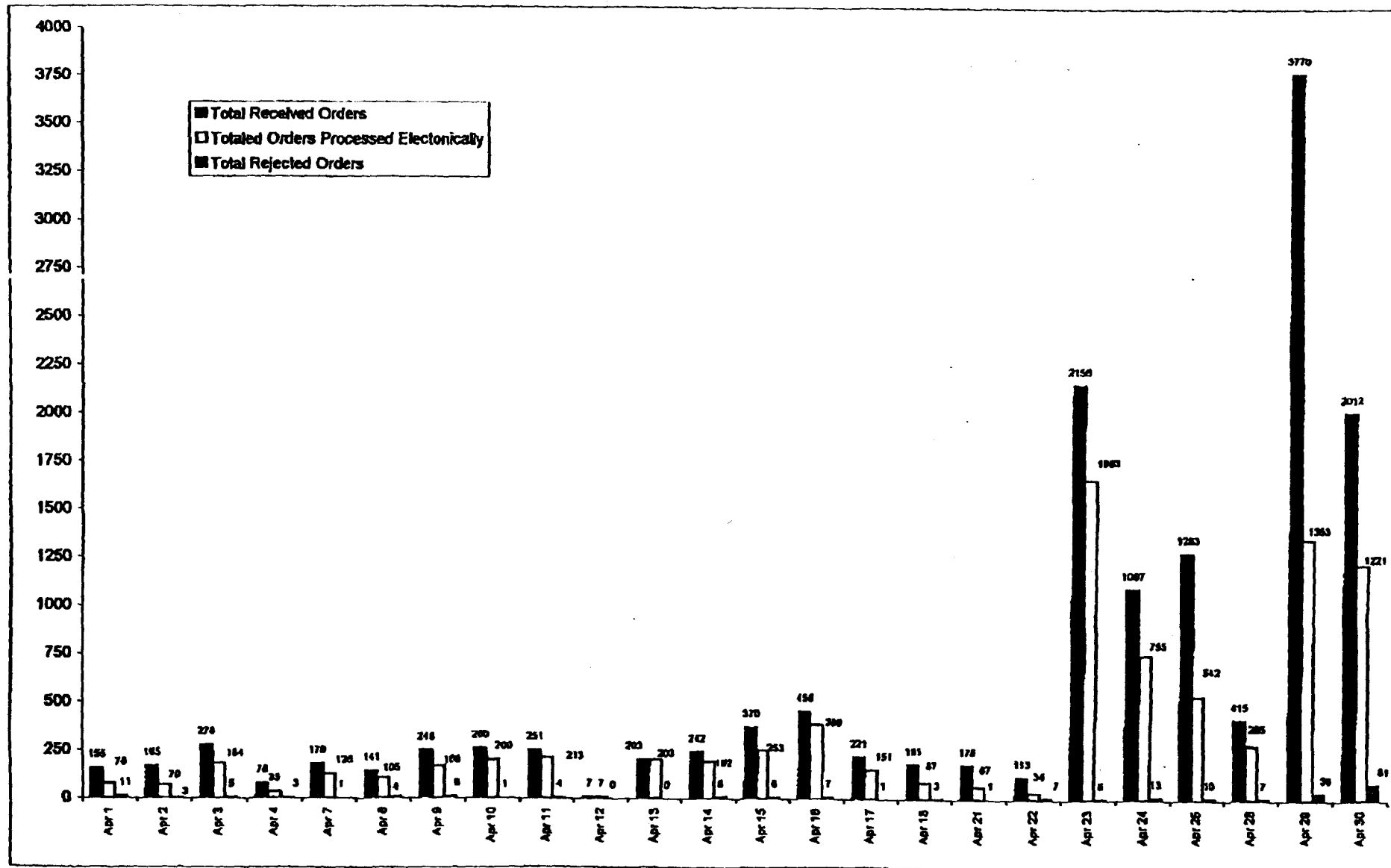


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**EXHIBIT G**

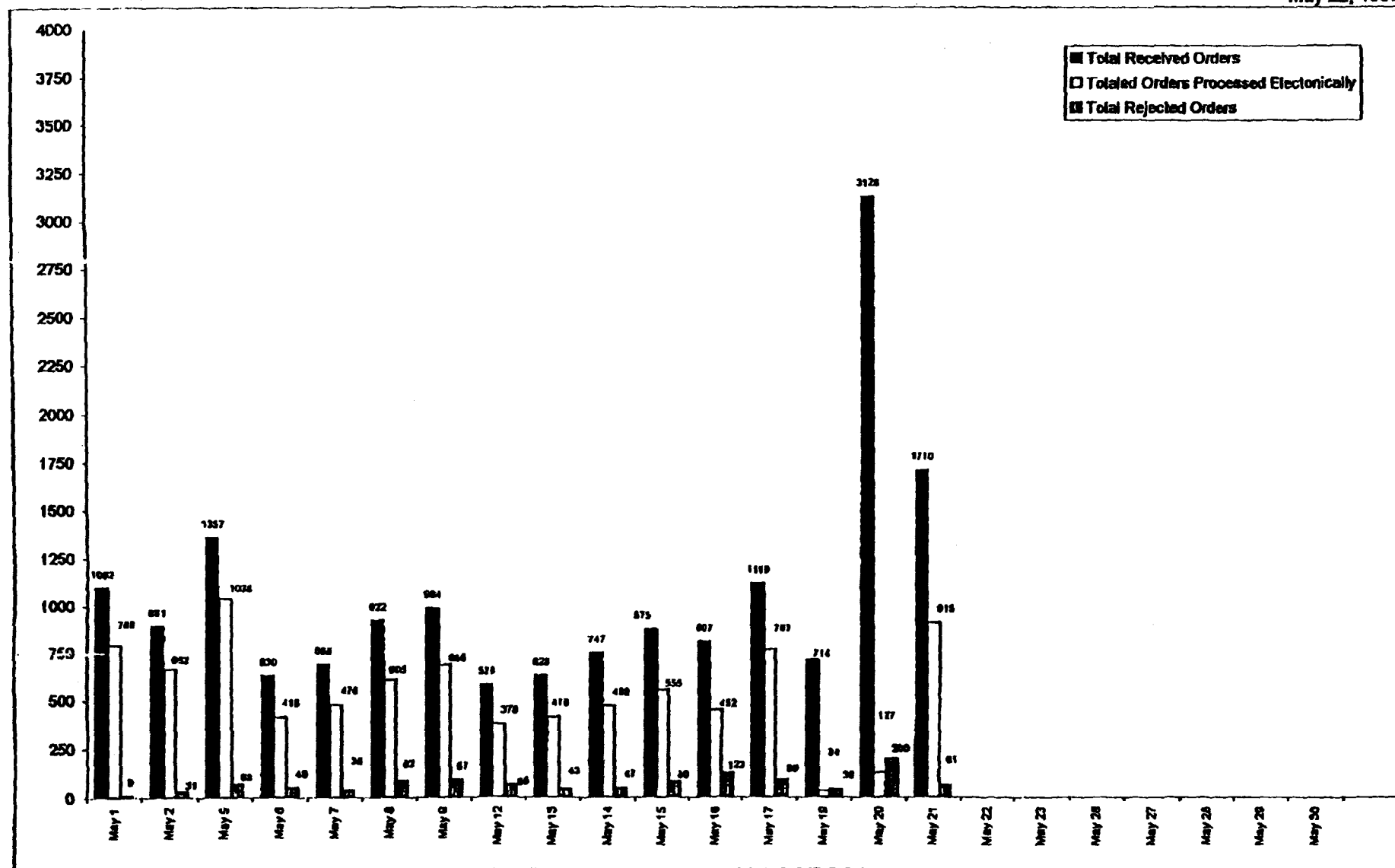
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# ATT DAILY RECEIVED ORDERS APRIL 1997



# ATT DAILY RECEIVED ORDERS MAY 1997

Attachment to Letter  
from Warren L. Mickens  
to Jane Medlin  
May 22, 1997





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